IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.1347 OF 2007
IN
APPEAL NO.262 OF 2007
IN
COMPANY APPLICATION NO.720 OF 2006
IN
COMPANY PETITION NO. 201 OF 1994

Tukaram Sridhar Bhat .. Applicant

versus

K.R.Steelunion Limited & ors. .. Respondents

...

Mr.Hiralal Thakkar, Sr.Advocate with U.M. Mahajan with M.K. Nesari & N.R. Nadkarni for the appellant.

Mr.Kamal Kattha i/b J.A. Shah & Associates for respondent no.3.

Mr.Debashish Mitra for Official Liquidator.

CORAM : R.M.S. KHANDEPARKAR
& D.G. KARNIK, JJ

DATED : 26th April 2007.

P.C.:

1. Heard.

2. Taking into consideration the facts stated in the affidavit in support of Notice of Motion, the Notice of Motion is made absolute in terms of prayer clause (a). However, it is clarified that this shall not preclude the hearing and disposal of suit no. No.111/127/ of 2006. At the same time, it is made clear that the decree to be passed in the said suit if happened to be adverse to the appellant, the same shall not be given effect to, unless specific order in that regard is obtained in this appeal and any decree to be passed in the said suit, shall be subject to the final outcome of this Appeal No. 262 of 2007. It is further made clear that Court dealing with the said suit no.11/27/06 shall dispose of the same uninfluenced by any observations in the impugned order.

3. All the contentions to be raised in the matter are kept open. Notice of Motion stands disposed of.

(R.M.S.KHANDEPARKAR, J)

(D.G. KARNIK, J)